

Attorney Docket No: P-5114

REMARKSStatus of the Claims

Claims 1-19 are pending.

Claims 20-44 are withdrawn.

Rejections under 35 U.S.C. §103(a)

Claims 1-4, 6-12, 18 and 19 were rejected under 35 U.S.C. §103(a) as being unpatentable over Anderson (US 6,482,517).

Claims 5 and 16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Anderson (US 6,482,517) in view of Levy et al. (US 5,635,609).

Claims 13-15 and 17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Anderson (US 6,482,517) in view of Jackowski (US 5,747,274). Applicant respectfully traverses these rejections.

The claimed methods that use an array of a plurality of distinct binding agents. Arrays are described in Applicant's specification on pages 12-22. These arrays can be either flexible or rigid planar substrates. Applicant has amended claim 1 to indicate that the arrays employed in the claimed method are planar.

The disclosure in Anderson relates to methods requiring the use of particles and does not suggest the use of planar arrays. Thus, it is submitted that neither Anderson nor the combination of Anderson in view of Levy et al. and/or Jackowski suggest the properties of the claimed invention. According, Applicant requests withdrawal of the above rejections under 35 U.S.C. §103(a).

Attorney Docket No: P-5114

Conclusion

Applicant believes that the application is in condition for allowance and notice to this effect is respectfully requested.

Respectfully submitted,

3/22/04
Date

Stasia L. Ogden

Stasia L. Ogden
Reg. No. 36,228
Agent for Applicants
BD Biosciences
2350 Qume Drive
San Jose, CA 95131
Tel: (408) 518-5074
Fax: (408) 954-4122